

#4

*passed  
voice  
vote.*

**AMENDMENT OFFERED BY MR. RIGGS  
TO THE AMENDMENT IN THE NATURE OF A  
SUBSTITUTE**

In section 202, insert after subsection (b) the following (and conform subsequent subsections accordingly):

1       (c) IDENTIFICATION OF RECIPIENTS PARTICIPATING  
2 AT MORE THAN 1 SITE.—Section 17(f) of such Act (42  
3 U.S.C. 1786(f)) is amended by adding at the end the fol-  
4 lowing:

5       “(23) Each State agency shall implement a system  
6 designed to identify recipients who are participating at  
7 more than 1 site under the program.”.

In section 202, insert after subsection (c) (as added by this amendment) the following (and conform subsequent subsections accordingly):

8       (d) IDENTIFICATION OF HIGH RISK VENDORS; COM-  
9 PLANCE INVESTIGATIONS.—

10       (1) IN GENERAL.—Section 17(f) of such Act  
11 (42 U.S.C. 1786(f)) is amended by adding at the  
12 end the following:

13       “(24) Each State agency—

14       “(A) shall identify vendors that have a high  
15 probability of program abuse; and

1           “(B) shall conduct compliance investigations of  
2   such vendors.”.

3           (2) REGULATIONS.—Not later than March 1,  
4   1999, the Secretary of Agriculture shall promulgate  
5   final regulations to carry out section 17(f)(24) of  
6   such Act (42 U.S.C. 1786(f)(24)), as added by para-  
7   graph (1).

          In section 202, add at the end the following:

8           (p) CRIMINAL FORFEITURE.—Section 17 of such Act  
9   (42 U.S.C. 1786), as amended by this Act, is further  
10   amended by adding at the end the following:

11          “(s) CRIMINAL FORFEITURE.—

12               “(1) IN GENERAL.—In imposing a sentence on  
13   a person convicted of an offense in violation of any  
14   provision of this section (or any regulation promul-  
15   gated under this section), a court shall order, in ad-  
16   dition to any other sentence imposed under this sec-  
17   tion, that the person forfeit to the United States all  
18   property described in paragraph (2).

19               “(2) PROPERTY SUBJECT TO FORFEITURE.—All  
20   property, real and personal, used in a transaction or  
21   attempted transaction, to commit, or to facilitate the  
22   commission of, a violation (other than a mis-  
23   demeanor) of any provision of this section (or any

1 regulation promulgated under this section), or pro-  
2 ceeds traceable to a violation of any provision of this  
3 section (or any regulation promulgated under this  
4 section), shall be subject to forfeiture to the United  
5 States under paragraph (1).

6 (3) INTEREST OF OWNER.—No interest in prop-  
7 erty shall be forfeited under this subsection as the  
8 result of any act or omission established by the  
9 owner of the interest to have been committed or  
10 omitted without the knowledge or consent of the  
11 owner.

12 (4) PROCEEDS.—The proceeds from any sale of  
13 forfeited property and any monies forfeited under  
14 this subsection shall be used—

15 (A) first, to reimburse the Department of  
16 Justice for the costs incurred by the Depart-  
17 ment to initiate and complete the forfeiture pro-  
18 ceeding;

19 (B) second, to reimburse the Department  
20 of Agriculture Office of Inspector General for  
21 any costs the Office incurred in the law enforce-  
22 ment effort resulting in the forfeiture;

23 (C) third, to reimburse any Federal or  
24 State law enforcement agency for any costs in-

1           curred in the law enforcement effort resulting  
2           in the forfeiture; and

3           (D) fourth, by the State agency to carry  
4           out the approval, reauthorization, and compli-  
5           ance investigations of vendors.